

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PAR PHARMACEUTICAL, INC., PAR
STERILE PRODUCTS, LLC, and ENDO
PAR INNOVATION COMPANY, LLC,

Plaintiffs,

V.

EAGLE PHARMACEUTICALS INC.,

Defendant.

C.A. No. 18-823-CFC

**EXHIBITS 1-22 TO THE LETTER TO THE HONORABLE JENNIFER L. HALL
FROM BINDU A. PALAPURA, ESQUIRE**

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*Attorneys for Defendant Eagle
Pharmaceuticals Inc.*

Dated: October 27, 2020
6914232 / 45185

EXHIBIT 1

**THIS EXHIBIT HAS BEEN
REDACTED IN ITS ENTIRETY**

EXHIBIT 2

**THIS EXHIBIT HAS BEEN
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EXHIBIT 3

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EXHIBIT 4

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EXHIBIT 17

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EXHIBIT 19

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REDACTED IN ITS ENTIRETY**

EXHIBIT 20

**THIS EXHIBIT HAS BEEN
REDACTED IN ITS ENTIRETY**

EXHIBIT 21

From: [Michael J. Farnan](#)
To: *bpalapura@potteranderson.com; [Brian Farnan](#)
Cc: *dmoore@Potteranderson.com1
Subject: RE: [EXT] Activity in Case 1:18-cv-00823-CFC-JLH Par Pharmaceutical, Inc. et al v. Eagle Pharmaceuticals, Inc. Order
Date: Tuesday, October 20, 2020 5:13:17 PM
Attachments: [Ltr to J. Hall re motion for discovery teleconference.DOCX](#)

Bindu,

On the second bullet point, if Eagle wishes to raise this issue, Eagle can restore it as a request from Eagle rather than a joint request. Thank you

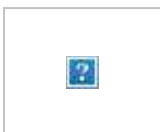
Michael

Michael J. Farnan
Farnan LLP
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12th Floor
Wilmington, DE 19801
Direct Dial: 302-777-0338
Fax: 302-777-0301

From: Palapura, Bindu A. <bpalapura@potteranderson.com>
Sent: Monday, October 19, 2020 5:03 PM
To: Michael J. Farnan <mfarnan@farnanlaw.com>; Brian Farnan <bfarnan@farnanlaw.com>
Cc: Moore, David E. <dmoore@potteranderson.com>
Subject: FW: [EXT] Activity in Case 1:18-cv-00823-CFC-JLH Par Pharmaceutical, Inc. et al v. Eagle Pharmaceuticals, Inc. Order

Michael/Brian: Attached is a letter pursuant to the order below. We've included our availability for a call next week. Note that there is a preference for after 3:30pm because one of our team members is overseas. However, we can be flexible if needed on the days listed.

Please let us know what works best for your team. We would like to get this on file tomorrow.
Thanks.



Bindu A. Palapura | Partner

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From: ded_nefreply@ded.uscourts.gov <ded_nefreply@ded.uscourts.gov>

Sent: Thursday, October 15, 2020 3:44 PM

To: ded_ecf@ded.uscourts.gov

Subject: [EXT] Activity in Case 1:18-cv-00823-CFC-JLH Par Pharmaceutical, Inc. et al v. Eagle Pharmaceuticals, Inc. Order

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was entered on 10/15/2020 at 3:44 PM EDT and filed on 10/15/2020

Case Name: Par Pharmaceutical, Inc. et al v. Eagle Pharmaceuticals, Inc.

Case Number: [1:18-cv-00823-CFC-JLH](https://ecf.ded.uscourts.gov/caselist/1:18-cv-00823-CFC-JLH)

Filer:

Document Number: 206(No document attached)

Docket Text:

ORAL ORDER: Having been advised that the parties are unable to resolve a discovery matter, they are directed to file a Motion for Teleconference to Resolve Discovery Dispute. The suggested text for this motion can be found in Judge Hall's portion of the Court's website, in the "Forms" tab, under the heading "Motion for Teleconference to Resolve Discovery/Protective Order Disputes." The dispute will thereafter be addressed in accordance with Judge Hall's discovery dispute procedures. ORDERED by Judge Jennifer L. Hall on 10/15/2020. (ceg)

1:18-cv-00823-CFC-JLH Notice has been electronically mailed to:

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iplitigation@potteranderson.com

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1:18-cv-00823-CFC-JLH Filer will deliver document by other means to:

Matt Lembo

UNDELIVERABLE EMAIL 7/1/2020

EXHIBIT 22

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PAR PHARMACEUTICAL, INC., PAR)	
STERILE PRODUCTS, LLC, and ENDO)	
PAR INNOVATION COMPANY, LLC,)	
)	
Plaintiffs,)	C.A. No. 18-823-CFC
)	
v.)	
)	
EAGLE PHARMACEUTICALS INC.,)	
)	
Defendant.)	

**EAGLE PHARMACEUTICALS INC.’S FIRST SET OF REQUESTS FOR
PRODUCTION (NOS. 1-81) TO PAR PHARMACEUTICAL**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant Eagle Pharmaceuticals Inc. (“Eagle” or “Defendant”), by and through its attorney, requests that Plaintiffs Par Pharmaceutical, Inc., Par Sterile Products, LLC, and Endo Par Innovation Company, LLC (“Par” or “Plaintiffs”) produce the documents and things requested herein at the offices of Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022, or at such other location to which the parties mutually agree, and provide written responses to these requests within thirty (30) days of service of these requests.

DEFINITIONS

The terms listed below have the following meanings:

1. “Par,” “Plaintiffs,” “You,” or “Your” means Par Pharmaceutical, Inc., Par Sterile Products, LLC, and Endo Par Innovation Company, LLC collectively, and all present and former parents, subsidiaries, and affiliates thereof, all divisions, predecessors, successors, and assigns thereof, and all directors, officers, employees, agents, consultants, representatives, or persons acting or purporting to act on behalf of, or under the control of, any of the foregoing entities; and all other Persons, acting or purporting to act under Plaintiffs’ control or on Plaintiffs’ behalf, and/or

REQUEST NO. 32:

All documents and things concerning any publication, patent, patent application, or prior art concerning vasopressin.

REQUEST NO. 33:

All documents and things on which Plaintiffs intend to rely to support any contention that any composition or formulation of vasopressin has unexpected or superior properties to any other compound, composition or formulation.

REQUEST NO. 34:

All documents sufficient to show the sales of Vasopressin® brand vasopressin in dollars and in units for each year in which it has been sold.

REQUEST NO. 35:

All documents and things concerning any comparison including, but not limited to, comparative tests or experiments, between any composition or formulation of vasopressin and any other compound, composition or formulation, including but not limited to any other composition or formulation of vasopressin.

REQUEST NO. 36:

All documents and things concerning any report, memorandum, meeting minutes, meeting summaries, or publications relating in any way to research leading to vasopressin or its formulation into a pharmaceutical dosage form.

REQUEST NO. 37:

All documents and things concerning the license, sale, or assignment of any rights to any vasopressin composition or formulation(s).

REQUEST NO. 38:

All documents and things concerning any license, transfer, or assignment of rights to any of the '239 patent, the '233 patent, the '478 patent, the '526 patent, the '785 patent, and the '209 patent.

REQUEST NO. 39:

All documents sufficient to show the total amount spent on promotion and marketing of Vasopressin® in each year in which it has been sold.

REQUEST NO. 40:

All documents and things concerning any strategic plans, business plans, marketing plans, brand plans, competitive evaluations, market research, market analyses, advertising plans,

REQUEST NO. 62:

All documents and things concerning the level of ordinary skill in the art for any claim of the Patents-in-Suit.

REQUEST NO. 63:

All documents, communications, and things, including, without limitation, laboratory notebooks, reports, memoranda, protocols, and data, concerning the subject matter of any declaration or affidavit submitted to the United States Patent & Trademark Office during prosecution of the Patents-in-Suit, any related patent or patent applications, any other Plaintiffs' patents relating to vasopressin, or their Foreign Counterparts, including but not limited to the materials, information, data, or documents considered during preparation of any such declaration or affidavit, any analysis undertaken during preparation of any such declaration or affidavit, the selection of any materials, information, data, or documents for submission with any such declaration or affidavit, the omission of any materials, information, data, or documents from any declaration or affidavit, the statements or content of any such declaration or affidavit, and the basis for the statements or content of any declaration or affidavit.

REQUEST NO. 64:

All documents, communications, and things regarding any vasopressin product marketed prior to the first FDA approval of NDA No. 204485.

REQUEST NO. 65:

All documents, communications, and things, including, without limitation, laboratory notebooks, reports, memoranda, protocols, and data, regarding any comparison between any vasopressin product marketed prior to the first FDA approval of NDA No. 204485 and any other vasopressin formulation, including, but not limited to, Vasostrict® and the subject matter of the Patents-in-Suit.

REQUEST NO. 66:

All documents, communications, and things, including, without limitation, laboratory notebooks, reports, memoranda, protocols, and data, regarding any stability testing of any vasopressin formulation, including, but not limited to, Vasostrict®, the subject matter of the Patents-in-Suit, and any vasopressin formulation marketed prior to the first FDA approval of NDA No. 204485.

REQUEST NO. 67:

All financial and sales projections for Vasostrict®.

REQUEST NO. 68:

All documents sufficient to show the net profit earned from the sale of Vasostrict®.

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Dated: November 2, 2018
5990659 / 45185

By: /s/ Jennifer Penberthy Buckley
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